92-523

NO. _____

SUPREME COURT, U.S.
FILED
SEP 24 1992
OFFICE OF THE CLERK

In The
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1992

ARTHUR HEIM,

Petitioner,

vs.

WILLIAM H. REHNQUIST, Chief Judge of the Supreme Court of the United States et al; HARRY A. BLACKMUN, Judge of the Supreme Court of the United States et al; RICHARD S. ARNOLD, Chief Judge, U.S. Eighth Circuit Court of Appeals; DONALD P. LAY, Judge, U.S. Eighth Circuit Court of Appeals; PASCO M. BOWMAN, Judge, U.S. Eighth Circuit Court of Appeals; GERALD W. HEANEY, Judge, U.S. Eighth Circuit Court of Appeals; LYLE E. STROM, Chief Judge, U.S. District et al; WARREN K. URBOM, Judge, U.S. District; WILLIAM G. CAMBRIDGE, U.S. Judge et al; DAVID L. PIESTER, Magistrate Judge; WILLIAM C. HASTINGS, Chief Judge, the Supreme Court of Nebraska; NORMAN KRIVOSHA, Judge, the Supreme Court of Nebraska; D. NICK CAPORALE, Judge, the Supreme Court of Nebraska; JOHN T. GRANT, Judge, the Supreme Court of Nebraska; LESLIE BOSLAUGH, Judge, the Supreme Court of Nebraska; THOMAS M. SHANAHAN, Judge, the Supreme Court of Nebraska; JOHN D. KNAPP et al, Nebraska District Judge; ALFRED J. KORTUM et al, Nebraska District Judge; DEWAYNE WOLF et al, Nebraska District Judge; JOHN J. ALTHOFF et al, Colorado District Judge; THE UNITED STATES SENATE COMMITTEE ON THE JUDICIARY; JOHN DOES; AND JANE DOES;

Respondents.

PETITION FOR WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

ARTHUR HEIM Pro Se
HC 63 Box 57
BUSHNELL, NEBRASKA 69128

QUESTIONS PRESENTED FOR REVIEW

1. Is it right, just and lawful that this Petitioner was denied hearing, audits, Court rules of procedure? And a Conflict of the Eighth Circuit dismissal of allegations stated under 42 U.S.C. § 1983?

2. Is there a Conflict of interest by Federal and State Courts of the Eighth Circuit when Chief Judge William H. Rehnquist et al enjoined the banks and Crooks and Criminals seized Arthur Heim's money and Property without just cause? And induced fraudulent Claims-concealment-conversions?

3. Is there a Conflict of interest by Federal and State Courts of the Eighth Circuit when the Senate Judiciary Committee Alan K. Simpson, Orrin G. Hatch et al, Key Bank et al are all one and the same ones that Frauded the HEIM's Bank account?

4. These are Special and Important Reasons for Hearing and Audit of Petitioner Accounts!

5. Was there a conflict of rulings by federal Courts of the Eighth Circuit, when that decision should have gone to Jury?

6. Is it right, just, and lawful that the Judiciary took Money and Property from the Petitioner through Fraudulent Claims of debt When there was no debt?

7. Through Fraudulent Concealment of Mortgages Paid in full?

8. And then through Judiciary Fraudulent Conversion of my money and property to the Banks of Crooks and Criminals-Key Bank et al and Travelers Indemnity Company et al that Robbed Me?

9. "Justice Demanded!"

10. "The Impeachment of Rehnquist et al!"

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No. _____

In The

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1992

ARTHUR HEIM

Petitioner,

v.

WILLIAM H. REHNQUIST ET AL, CHIEF JUDGE
OF THE UNITED STATES SUPREME COURT

Respondents.

"JUSTICE DEMANDED"

PETITION FOR WRIT OF CERTIORARI TO
THE EIGHTH CIRCUIT COURT OF APPEALS

"THE IMPEACHMENT OF REHNQUIST ET AL"

The Petitioner, Arthur Heim, respectfully prays in Jesus' name that a Writ of Certiorari issue to review and reverse judgment of dismissal of the U.S. District Court of Omaha, Nebraska and Judgment of the U.S. Court of Appeals. And all the people shall say, 'Amen!'

The dates of the dismissal at Omaha, Nebraska were June 4, 1992 and I did not receive a case No. for the U.S. District Court until June 24, 1992 and the Judgment of the Eighth Circuit Appeals Court was July 7, 1992.

OPINIONS BELOW

The U.S. District Court of Omaha, Nebraska entered its decision dismissing the Complaint on June 4, 1992 (signed by the Judge on June 4, 1992) a Memorandum and Order was rendered also. The Memorandum and Order is attached as appendix A-1, A-2, A-3, and A-4.

The entry of the U.S. District Court Case No. 8:MC92-00333 was entered by the Clerk, U.S. Court of Appeals Nancy C. Vadnais, June 24, 1992, is attached as appendix B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, and B-9.

The U.S. Eighth Circuit Court of Appeals docket and entries Letter June 29, 1992, is attached as appendix C-1, C-2, C-3, and C-4.

The Eighth Circuit Court of Appeals Letter and Judgment July 7, 1992. The Copies of letter is attached as appendix D-1, D-2, and D-3.

The Face of Hearings before a Committee on Government operations House of Representatives Ninety-Ninth Congress, First session, July 15, September 27, and November 15, 1985, is attached as appendix E-1, the Contents is incriminating to the Banking System.

'The Reagan-Bush Years Saw a Shifting of Law' by Anthony Lewis is incriminating to the Judiciary of the U.S. is attached as appendix E-2, E-3, and E-4.

The Scandals Behind the Clifford headlines lurks the real news about B.C.C.I.: growing evidence that the bank provided secret service for Saudis and U.S. intelligence agents is attached as appendix E-5, E-6, E-7, E-8, E-9, and E-10.

'Sen. Hatch defends his defense of BCCI', is attached as appendix E-11 and E-12.

The Demand for Audit 1978 Case No. 5131, that was forgotten, should be on file at the Kimball County District Court. However as Clark Clifford stated, You Bastards may also state, "You Must have been Duped."

The U.S. District Court of Omaha, Nebraska denied the Petitioner his demand for a Jury Trial as demanded under a 9th Amendment right of the U.S. Constitution, and due process of the Subpoena Power.

JURISDICTION

Jurisdiction of this Court is invoked under Article III, Section 2 of the U.S. Constitution.

The Judicial Power shall extend to all cases, in law and equity, arising under this Constitution, Jurisdiction is invoked pursuant to 28 U.S.C. § 2101 (c).

CONSTITUTIONAL PROVISION INVOLVED

The Constitution of the United States, Art. I, Sec 2 cl 5; Art. II, Sec. 2; Art. II, Sec. 4; Sec. 3, cl. 6; Art. III, Sec. 2; Art. III, Sec. 3; and the U.S. Constitutional Amendments I, IV, V, IX, X and XIV are each and severally involved.

STATEMENT OF THE CASE

The Petitioner filed a Complaint of Wanton Reckless Misconduct 28 U.S.C. § 372 (c) (1), Perverting Justice, Producing Obliquity, Deviation from Rectitude or sound thinking, Deceit, Evasion of Duty, Failing to uphold the Oath of office, subverting the U.S. Constitution, Failure to produce an elementary Audit (FULL DISCLOSURE of Arthur Heim's BANK and FARM account 34-19-28. The Petitioner's Case No. 5131 Nebraska District was not ever brought to trail by the Court.

The Complaint was mailed on May 11, 1992 to the U.S. District Clerk and refused to number the Case and refused the Fees. That on June 19, 1992, I field appeal to the U.S. Court of Appeals Eighth Circuit.

That on June 24, 1992 I received a number for the U.S. District Court Agency Case Number (s): 8:MC92-333 from the U.S. Court of Appeals Eighth Circuit, Nancy C. Vadnais appeals Clerk.

That the U.S. Court of Appeals Eighth Circuit entered case no. 92-2432NEO Arthur Heim vs. William H. Rehnquist et al.

That on July 7, 1992 Michael E. Gans by letter, notes that FRAP 40- of the Federal rules of Appellate procedure requires any petition for rehearing to be filed within 14 days after entry of judgment; no grace period for mailing is granted. Appendix D-1 is attached.

I did not receive a number until June 24, 1992 and I would have received it days later. The rejection dispositive order was July 7, 1992. In all I estimate to be seven days early of the deadline for filing. The U.S. District Court and the U.S. Court of Appeals Eighth Circuit Only Accomplishment is under Color of Law.

There was no State Law which permitted the Courts to refuse the Case then confuse the numbering for the Judges' BENEFIT. First amendment is for a fair redress. My money and property were taken in total violation of the U.S. Constitution and Nebraska Constitution. The taking of property resulted in a complete loss of means of livelihood, without having to prove any claim for the taking or giving any accounting to a Court. The Judges enjoined the banks of Crooks and Criminals to defraud Arthur Heim the Petitioner. Key Bank et al officers and A.H. Trautwein and Blair Trautwein cannot go to bed without stealing someone's bank account out of Key Bank and other banks. This is public knowledge on the streets of Cheyenne, Wyoming even by the Judges.

Activities of the defendants as stated in the Complaint include Professional Negligence, breach of professional Fiduciary duties, violations and the denial to produce records of notes paid off, Audits of bank records. The defendants Judges took Money and Property of this petitioner, and the denial of Trial for their Saturday Night Split up of Funds defrauded, Would not provide an explanation for the taking, and did not State any U.S. Federal Codes U.C.C., U.S.C.A., U.S.C., and Law when they seized property. The taking of the Money and Property was a direct violation of Amendments IV and V of the United States Constitution.

The Constitutional violations were sufficient to satisfy a Bivens claim.

The Eighth Circuit Court of Appeals has a criminal conflict when they agree that judgment was proper by the United States District Court of Omaha, Nebraska. The U.S. District Court and the Appeals Court has Completely ignored the Fraudulent Claim-Concealment-Conversions by Judges and ignored the request of the Petition for a Jury Trial, (as a right under Amendment IX of the U.S. Constitution). Judgment had been granted without a fair hearing on the merits.

The decision of the Circuit Court of Appeals is in Conflict with the U.C.C., U.S.C.A. and the U.S.C. for their own pockets, violations in full, giving cause for granting "Justice Demanded", Money and Property returned, giving cause for granting a Writ of Certiorari at North Platte, Nebraska, U.S. Court Room.

REASON FOR GRANTING JUSTICE WRIT

As Mark Laughlin, Attorney for First Wyoming Bank K/N/A Key Bank et al, stated before the Nebraska Supreme Court "the Bank lost the Heim's Money in General Funding", March 4, 1986, Traveler's Attorney Dave Nuttleman stated "Don't rule against us, it would be HAVOC", U.S. Judge Warren K. Urbom stated in his Memorandum "He did not say they did NO WRONG". HE, Warren K. Urbom, did not return My Money and Property, THIEF!

IS NOT THE UNITED STATES CONSTITUTION STILL THE "SUPREME COURT OF AMERICA"? AND, IF IT IS, WHY DOES NOT THE CONSTITUTIONAL REQUIREMENT OF SEIZURE OF MONEY AND PROPERTY REQUIRE TO JUDICIAL PROCESS UNDER AGNELLO V. UNITED STATES, 269 U.S. 20, (1925)? AND, IF SO, WHEN A SEIZURE DID OCCUR WITHOUT ADHERENCE TO THAT PROCESS, DID NOT HIS PETITIONER STATE A VALID CLAIM OF FRAUDULENT CLAIMS, CONCEALMENTS AND CONVERSIONS VIOLATIONS IN THE FEDERAL COURTS UNDER 18 U.S.C.A. §287; 31 U.S.C.A. § 231 ET SEQ., FUNDUMBURKS V. MICHIGAN MUT. LIABILITY CO., 63 MICH. APP. 405 234 N.W. 2d 545, 547, CATANIA V. GARAGE DE LE PAIX, INC., TEX. CIRC. APP., 542 S.W. 2d 239, 241. U.C.C. S 3-149 (1)?

When the Petitioner was seized of his property without Due Process or Court Trial and without being able to obtain a fair hearing, due process now requires that relief be afforded in the High Court and House.

The Petitioner submits that his Civil rights were violated when Property was seized in violation of State Law, and the fact that No State Law was used to accomplish the deprivation of the Money and Property. The violations of guaranteed protection of amendment to the United States Constitution gives rise to a Bivens Claim, Bivens v. six unknown Agents 403 U.S. 388. This Court has previously ruled that when any person takes or (causes deprivation of Money and property without a Court Trial or) the right of a hearing. Such acts have violated civil rights of search and seizure of the 4th Amendment of the U.S. Constitution and will be a valid claim in a Federal Court, Monroe v. Pape, 81 S. Ct. 433, (1961). The 4th Amendment prohibits unreasonable seizure and that protection extends to "house" and

"effects". The High Court has emphasized over and over again that the Mandate of the Constitutional Amendments require adherence to Judicial process, Agnello v. United States, 269 U.S. 20, (1925).

Petitioner also submits that the Eighth Circuit Court of Appeals has denied him equal ruling rendered by other Circuit appeals Courts relating to Fraud and Civil rights Complaints. The Eleventh Circuit Court in Motes v. Myers, 810 F. 2d 1055, (1987), ruled that deprivation of rights secured by the U.S. Constitution accomplished under color of State Law satisfy a Fraud and Civil rights violation, 42 U.S.C. § 1983.

Petitioner submits that the Eighth Circuit Appeals Court failed to acknowledge that Judgment had Occurred without a Jury Trial, (which had been demanded). The 10th Circuit Court of Appeals ruled that in a Fraud Civil Rights Complaint, due process afforded a right to trail when allegations had been stated of unlawful seizure, Stringer v. Dilger, 313, 2d 563, (1963).

Petitioner submits that rulings rendered by other Appeals Courts without ever a hearing present a Federal Question. He also submits that Constitution Violations present a Bivens Claim.

JUSTICE DEMANDED

Your system of thieves, Brood of Vipers, Liars, Criminals, and scoundrels, who subvert the U.S. Constitution and Court Rules to the Following:

Appendix A-1 through Appendix E-4 to set out the "Reagan-Bush Years Saw a Shifting of Law" E-2, Scandals, "Behind the Clifford headlines Lurks the real news about B.C.C.I.: growing evidence that the bank provided secret services for Saudis and U.S. intelligence agents" E-3 and E-4, and Hearings on "Does Farm Financing Face Fundamental Change Credit Crisis?" E-1, are examples of your corruptions and Racketeering; Failure to do Audits before taking one's Money and Property.

Elijah said "If I be a man of God, then let Fire come down from Heaven, and Consume thee and Thy Fifty". And there Came down Fire from Heaven and Consumed his adversaries.

As Elisha went to Bethel; and as he was going up by the road, some youths came from the City Mocked him, and said to him, Go up, you bald-head!; Go up, you bald-head! And he turned back, and looked on them, and pronounced a curse on them in the name of the Lord. And there came forth Two She-bears out of the woods, and mauled forty-two of the youths. How much more for you all!

This is only a sample of what your Calamities and Plagues are, to the following Malediction, For you all had full knowledge of the criminal acts induced upon me, FRAUDULENT CLAIMS OF DEBT WHEN THERE WAS NO DEBT, FRAUDULENT CONCEALMENT OF MORTGAGES PAID IN FULL, THEN YOU FRAUDULENTLY CONVERTED MY MONEY AND PROPERTY TO THE BANK AND TRAVELERS INDEMNITY COMPANY THAT ROBBED ME.

THEREFORE: This is Chief Judge William H. Rehnquist et al "JUDGMENT". FOOLS. You are damned forever, forever separated from God of Abraham, Isaac and Jacob, because of your Greed, Cahoots, Collusion with Satan, Failure to do Justice, and correcting the wrongdoings of perpetual Fraud. The Appendix A-1 through E-4 are proof of what I stated years ago in Court and to the Attorneys. Now, because you fear doing right, you and your system must pay the price in full-$450 Quintillion. Until this is Paid, the Calamities and Plagues are your Friend, and in full force by the Angelical force. The Malediction has been prayed for all wrongdoings by the Judiciary, Legislative, and Executive branches; the calamities and plagues invoked, the arar, arar, arar, killel, shebuah, deber, makkah, plege, maggephah, nega, mastix, negeph, placed Chief Judge William H. Rehnquist et al under the anathema. It cannot be revered until repentances and Justice are in Order and the banks of Crooks and criminals et al have returned my Money and Property.

The Chief Judge William H. Rehnquist et al, banks of crooks and criminals et al, that have violated God's and My trust of the U.S. Constitution and Court Rules of procedure, the following is yours.

THEREFORE: Mene, Mene, Tekel, Upharsin, "Mene: God has numbered your Kingdom, and finished it; Tekel you have been weighed in the balances and found wanting; "Peres; your kingdom has been divided, and given back to the American Citizens."

Considering the foregoing reasons and authorities, this Petitioner respectfully Demands that a writ of Certiorari be issued to review the Corruption by Judges of the Federal and State Courts and hearing and trial back to the U.S. District Court, Third Floor of District Court, North Platte, Nebraska.

Petitioner Demands that the Judgment be reversed and that he be allowed due process which includes a Jury Trial and the right to have all issues and evidence entered into the Court record, and that a trial at law, North Platte, Nebraska Federal Court Room be granted to him.

RESPECTFULLY SUBMITTED IN JESUS' NAME

Mr. Arthur Heim

MR. ARTHUR HEIM

And all the people shall say, 'Amen!'

CONCLUSION

Dated this 21st day of September, 1992.

CERTIFICATE OF SERVICE

I hereby certify on this 21st day of September, 1992, three copies of the Petition for Writ of Certiorari were mailed, postage prepaid, to the following. I further certify that all parties required to be served have been served.

The Clerk of The Supreme Court of The United States
1 First Street, N.E.
Washington, D.C. 20543

Chief Judge William H. Rehnquist et al
Supreme Court of the U.S.
1 First Street, N.W.
Washington, D.C. 20543

Clerk, House of Representatives
ROOM H-105, The Capital
Donald K. Anderson, Clerk
Washington, D.C. 20510

The Solicitor General
Department of Justice
Washington, D.C. 20530

Mr. Arthur Heim

MR. ARTHUR HEIM
HC 63, BOX 57
BUSHNELL, NEBRASKA 69128

APPENDIX

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ARTHUR HEIM,	)	CIVIL NO. _____
	)	
Plaintiff,	)	
	)	
vs.	)	**MEMORANDUM AND ORDER**
	)	
CHIEF JUDGE WILLIAM H. REHNQUIST, et al.,	)	
	)	
Defendants.	)	

Pursuant to the operating procedures of this court, the Clerk of the United States District Court for the District of Nebraska has presented me with the Complaint and associated documents submitted by the plaintiff, together with a filing fee.

Among other things, the Complaint asserts that various judges failed in their duties because they did not require disclosure of something called "AN ELEMENTARY CERTIFIED ACCOUNTING AUDIT (FULL DISCLOSURE) of Arthur Heim's Accounts 34-19-28 First Wyoming N/K/A Key Bank et al." (Tendered Complaint at 2.) Furthermore, although it is not entirely clear, it appears the plaintiff challenges the conduct of various judges in dealing with "The

Travelers Indemnity Company et al, High Plains Agricultural Credit Union et al, Key Bank et al." (Tendered Complaint at 3.)

In **Heim v. Touche Ross & Co., No. 89-0-129,** The Honorable Warren K. Urbom, United States District Judge, District of Nebraska, entered judgment against the plaintiff, stating in paragraph 6 of the Judgment that:

> the plaintiff is prohibited from filing any complaint in this court arising out of or involving the past relationship or transactions between the plaintiff and High Plains Agricultural Credit Corporation or First Wyoming Bank, unless he shall be represented by an attorney qualified to practice in this court.

The documents tendered to the Clerk of the United States District Court for the District of Nebraska do not reflect that the plaintiff has retained counsel. Moreover, the documents make no showing that he has endeavored to retain counsel. It is therefore apparent that the plaintiff is in violation of the terms and conditions of the judgment rendered by Judge Urbom.

Although the court is tempted to give the plaintiff an opportunity to retain counsel, it must be noted that pursuant to a letter from The Honorable Lyle E. Strom, Chief United States District Judge, District of Nebraska, the Clerk of the District Court wrote to the plaintiff on May 1, 1992, specifically advising him of the judgment rendered

by Judge Urbom and providing him with a copy of the Judgment. In response, the plaintiff wrote to the Clerk on May 11, 1992, and among other things, noted that he "did not ask for Judge Strom's Opinion!" There seems to be no necessity, therefore, to give the plaintiff an opportunity to retain counsel.

IT IS ORDERED that:

(1) The Clerk of the United States District Court for the District of Nebraska is ordered not to file the tendered Complaint and associated documents;

(2) The Clerk of the United States District Court for the District of Nebraska is ordered to return the tendered Complaint, associated documents, and filing fee to the plaintiff;

(3) The Clerk of the United States District Court for the District of Nebraska shall retain a copy of the tendered Complaint and associated documents;

(4) The Clerk of the United States District Court for the District of Nebraska is ordered to provide the plaintiff with a copy of this memorandum and order; and

(5) The plaintiff is herewith advised that if he wishes to comply with the judgment rendered by Judge Urbom, he may do so, whereupon any tendered Complaint will be handled pursuant to the

operating procedures of this court.[1]

DATED this 4th day of June, 1992.

BY THE COURT:

/s/ Richard G. Kopf

Richard G. Kopf
United States District Judge

[1]The plaintiff is also advised that the Nebraska State Bar Association maintains a legal-referral program. Should he have difficulty obtaining counsel, the plaintiff may wish to contact the Bar Association's Office of Legal Services/Lawyer Referral, which may be able to provide the names of lawyers willing to assist him on a no-fee or reduced-fee basis. The address for the Nebraska State Bar Association is 635 South 14th Street, Post Office Box 81809, Lincoln, Nebraska 68501-1809. Their toll-free telephone number is 800-927-0117, and their commercial telephone number is 402-475-7091.

Pro Se representation may at times serve the ideal of a fair trial better than representation by an attorney [U.S. ex rel Stolt v. U.S. 504 F 2d 1339].

Arthur Hein

APPENDIX
B-1

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA
OFFICE OF THE CLERK
P.O. BOX 129, DTS
OMAHA, NE 68101
(FTS) 864-4761
(402) 221-4761
FAX 221-3160

NORBERT H. EBEL
CLERK OF COURT

DIVISION OFFICE:
593 FEDERAL BUILDING
100 CENTENNIAL MALL NO.
LINCOLN, NE 68508
(FTS) 541-5225
(402) 437-5225
FAX 437-5651

June 24, 1992

Clerk, U.S. Court of Appeals
1114 Market Street, Room 511
St. Louis, Missouri 63101

Re: 8:MC92-00333 Heim v. Rehnquist, et al.

Dear Docketing Unit:

Enclosed are two certified copies of the following:

(X) Pl's. Notice of Appeal filed 6/22/92
(X) Memorandum and Order filed 6/4/92
(X) Docket Entries.

Also enclosed is NOA Supplement and the Original file. A copy of the docket entries has been served on Plaintiff by way of this cover letter.

The fee ( ) has been paid.
The fee (X) has not been paid.

Very truly yours,

Nancy C. Vadnais,
Appeals Clerk

cc: Arthur Heim

APPEAL

U.S. District Court
U.S. District Court for the District of Nebraska (Omaha)

CIVIL DOCKET FOR CASE #: 92-MC-333

Heim v. Rehnquist, et al
Assigned to: Unassigned
Demand: $50 Quintillion
Lead Docket: None
Dkt# in other court: None

Filed: 6/23/92
Jury Demand: Plaintiff
Nature of Suit: 440
Jurisdiction: US Defendant

Cause: 28:1983 Civil Rights

ARTHUR HEIM
plaintiff

Arthur Heim
(COR LD NTC) (PRO SE)
P.O. Box 57
Bushnell, NE 69128

v.

WILLIAM H. REHNQUIST, Chief Judge of the Supreme Court of the United States
defendant

HARRY A. BLACKMUN, Judge of the Supreme Court of the United States
defendant

RICHARD S. ARNOLD, Chief Judge, U. S. Eighth Circuit Court of Appeals
defendant

DONALD P. LAY, Judge, U. S. Eighth Circuit Court of Appeals
defendant

GERALD W. HEANEY, Judge, U. S. Eighth Circuit Court of Appeals
defendant

WARREN URBOM, Judge
defendant

Docket as of June 24, 1992 9:33 am Page 1 NON-PUBLIC

INTERNAL USE ONLY: Proceedings include all events APPEAL
8:92mc333 Heim v. Rehnquist, et al

WILLIAM G. CAMBRIDGE, Judge
defendant

DAVID L. PIESTER, Magistrate Judge
defendant

WILLIAM C. HASTINGS, Chief Judge, The Supreme Court of Nebraska
defendant

NORMAN KRIVOSHA, Judge, The Supreme Court of Nebraska
defendant

D. NICK CAPORALE, Judge, The Supreme Court of Nebraska
defendant

C. THOMAS WHITE, The Supreme Court of Nebraska
defendant

JOHN T. GRANT, Judge, The Supreme Court of Nebraska
defendant

LESLIE BOSLAUGH, Judge, The Supreme Court of Nebraska
defendant

THOMAS M. SHANAHAN, Judge, The Supreme Court of Nebraska
defendant

JOHN D. KNAPP, Nebraska District Judge
defendant

ALFRED J. KORTUM, Nebraska District Judge
defendant

DEWAYNE WOLF, Nebraska District Judge
defendant

JOHN J. ALTHOFF, Judge, the United States Senate, Committee on the Judiciary
defendant

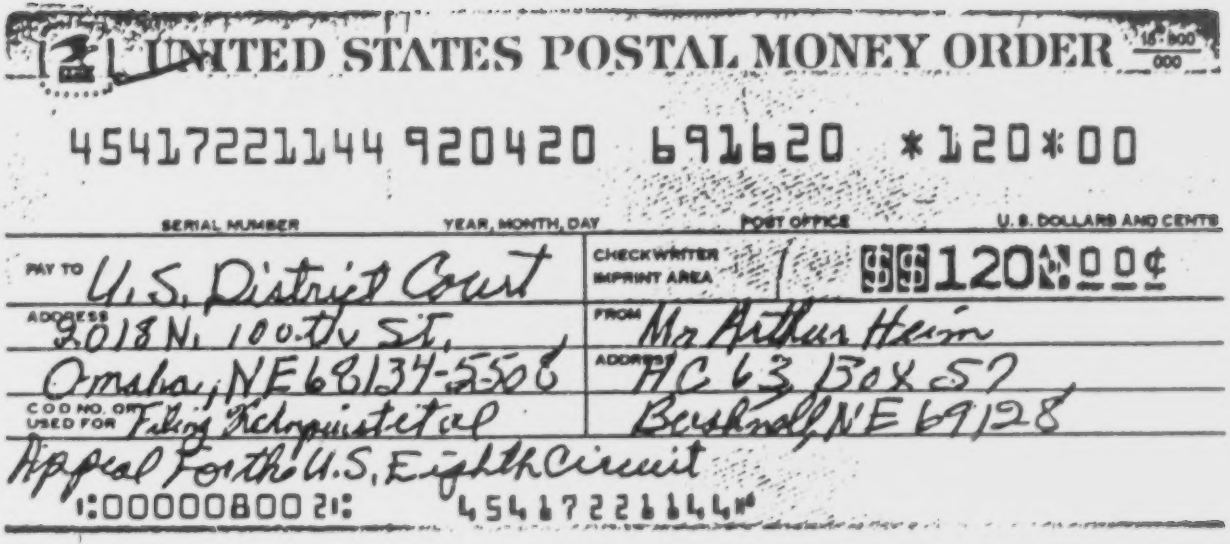
INTERNAL USE ONLY: Proceedings include all events. APPEAL
8:92MC333 Heim v. Rehnquist, et al

JOHN DOES
defendant

JANE DOES
defendant

INTERNAL USE ONLY: Proceedings include all events. APPEAL
8:92mc333 Heim v. Rehnquist, et al

6/22/92	4	NOTICE OF APPEAL by plaintiff Arthur Heim from Dist. Court decision (3-1) - CCAP (ncv) (Entry Date 06/24/92)
6/23/92	1	1st COMPLAINT with attachments and all correspondence relating thereto. (cjs)
6/23/92	2	2nd COMPLAINT with attachments and all correspondence relating thereto. (cjs)
6/23/92	3	MEMORANDUM AND ORDER by Judge Richard G. Kopf that the Clk of USDC is ordered not to file the tendered complt and assoc docs; Clk of USDC is ordered to return the tendered complt, assoc docs and filing fee to the P; Clk of USDC is ordered to provide the P with a copy of this memo and order; P is herewith advised that if he wishes to comply with the judgment rendered by Judge Urbom he may do so whereupon any tendered complt will be handled purs to the operating procedures of this crt. - CCAP (orig filed on 6/4/92) (cjs) (Edit date 06.23.92)
6/24/92		2 CERTIFIED COPIES OF NOTICE OF APPEAL filed 6/22/92, together the Memorandum & Order filed 6/4/92 (3-1), the original file and clerk's docket entries mailed to Clerk, USCA 8TH Circuit; docket entries also mailed to pro se Plaintiff (ncv)



UNITED STATES POSTAL MONEY ORDER

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FROM: Mr Arthur Heim
ADDRESS: HC 63 Box 57
Burwell, NE 68823

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Money Order

C-1
Appendix

92 JUL -1 ... COURT ... FRASK... 378-5390 3800 ... EBEL CLERK

UNITED STATES COURT OF APPEALS
For the Eighth Circuit
U.S. Court & Custom House
1114 Market Street
St. Louis, Missouri 83101

Michael E. Gans
Clerk of Court

June 29, 1992

Mr. Arthur Heim
P.O. Box 57
Bushnell, NE 69128

Re: 92-2432NEO Arthur Heim vs. William H. Rehnquist

Der Mr. Heim:

We have today received and filed the certified copies of the notice of appeal and docket entries from the United States District Court. Your case has been docketed today under the number indicated.

Your case is being referred to a panel of judges for review. We will promptly advise you of any action taken by the court. A briefing schedule will be established, if appropriate, at a later date.

We note that the matter was not served by the district court on any other party. Accordingly, you are notified that you are the only party to this appeal.

Sincerely,

/s/ Michael E. Gans
Michael E. Gans
Clerk of Court

lkl

Enclosure(s)

cc: Norbert H. Ebel

District Court/Agency Case Number(s): 8:MC92-333

C-3

Case Number: 92-2432

District Court/Agency Case Number(s): 8:MC92-333

ARTHUR HEIM

Plaintiff - Appellant

v.

WILLIAM H. REHNQUIST, Chief Judge of the Supreme Court of the United States; HARRY A. BLACKMUN, Judge of the Supreme Court of the United States; RICHARD S. ARNOLD, Chief Judge, U.S. Eighth Circuit Court of Appeals; DONALD P. LAY, Judge, U.S. Eighth Circuit Court of Appeals; PASCO M. BOWMAN, Judge, U.S. Eighth Circuit Court of Appeals, GERALD W. HEANEY, Judge, U.S. Eighth Circuit Court of Appeals; WARREN URBOM, Judge; WILLIAM G. CAMBRIDGE, Judge; DAVID L. PIESTER, Magistrate Judge, WILLIAM C. HASTINGS, Chief Judge, The Supreme Court of Nebraska; NORMAN KRIVOSHA, Judge, The Supreme Court of Nebraska; D. NICK CAPORALE, Judge, The Supreme Court of Nebraska; C. THOMAS WHITE, The Supreme Court of Nebraska; JOHN T. GRANT, Judge, The Supreme Court of Nebraska; LESLIE BOSLAUGH, Judge, The Supreme Court of Nebraska; THOMAS M. SHANAHAN, Judge, The Supreme Court of Nebraska; JOHN D. KNAPP, Nebraska District Judge: JOHN J. ALTHOFF, Judge, The United States Senate, Committee on the Judiciary; JOHN DOES; JANE DOES

Defendant - Appellees

2432 Arthur Heim v. William H. Rehnquist

Arthur Heim
P.O. Box 57
Bushnell, NE 69128

Mr. Norbert H. Ebel
Clerk
U.S. DISTRICT COURT, Nebraska
P.O. Box 129
U.S. Courthouse & P.O. Building
Omaha, NE 68101

D-1

UNITED STATES COURT OF APPEALS
For the Eighth Circuit
U.S. Court & Custom House
1114 Market Street
St. Louis, Missouri 63101

Michael E. Gans
Clerk of Court

(314) 539-3600

July 7, 1992

Arthur Heim
P.O. Box 57
Bushnell, NE 69128

Re: 92-2432NEO Arthur Heim vs. William H. Rehnquist

Dear Sir:

Enclosed is a copy of the dispositive order in the referenced appeal. Please note that FRAP 40 of the Federal Rules of Appellate Procedure requires any petition for rehearing to be filed within 14 days after entry of judgment. This court strictly enforces the 14 day period. No grace period for mailing is granted. A petition for rehearing or a motion for an extension of time must be filed with the Clerk's office within the 14 day period.

Sincerely,

/s/ Michael E. Gans
Michael E. Gans
Clerk of Court

lmk
Enclosure(s)
cc: Hon. Richard G. Kopf
Norbert H. Ebel
District Court/Agency Case Number(s): 8:MC92-333

D-2

United States Court of Appeals

FOR THE EIGHTH CIRCUIT

No. 92-2432NEO

Arthur Heim,	*
	*
Appellant,	*
	* Appeal from the United
vs.	* States District Court for
	* the District of Nebraska
William H. Rehnquist, Chief Judge	*
of the Supreme Court of the	*
United States: Harry A. Blackmun,	*
Judge of the Supreme Court of the	*
United States; Richard S. Arnold,	*
Chief Judge, U.S. Eighth Circuit	*
Court of Appeals; Donald P. Lay,	*
Judge, U.S. Eighth Circuit Court of	*
Appeals; Pasco M. Bowman, Judge	*
U.S. Eighth Circuit Court of Appeals;	*
Gerald W. Heaney, Judge, U.S.	*
Eighth Circuit Court of Appeals;	*
Warren Urbom, Judge; William G.	*
Cambridge, Judge; David L. Piester,	*
Magistrate Judge; William C.	*
Hastings, Chief Judge, The	*
Supreme Court of Nebraska;	*
Norman Krivosha, Judge, The	*
Supreme Court of Nebraska;	*
D. Nick Caporale, Judge, The	*
Supreme Court of Nebraska; C.	*
Thomas White, The Supreme Court	*
of Nebraska; John T. Grant, Judge,	*
The Supreme Court of Nebraska;	*
Leslie Boslaugh, Judge, The	*
Supreme Court of Nebraska;	*

Thomas M. Shanahan, Judge, The Supreme Court of Nebraska; John D. Knapp, Nebraska District Judge; Alfred J. Kortum, Nebraska District Judge; Dewayne Wolf, Nebraska District Judge; John J. Althoff, Judge, The United States Senate, Committee on the Judiciary; John Does; Jane Does,

Appellees.

JUDGMENT

Arthur Heim has appealed the memorandum and order entered by the United States District court dated June 1, 1992. This court summarily affirms the decision of the district court. The appeal is hereby dismissed. See Eighth Circuit Rule 47A.

July 7, 1992

/s/ Michael E. Gans

A true copy.
Attest:
CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT

DOES FARM FINANCING FACE FUNDAMENTAL CHANGE OR CURRENT CREDIT CRISIS? (Part 1)

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON

GOVERNMENT OPERATIONS

HOUSE OF REPRESENTATIVES

NINETY-NINTH CONGRESS

FIRST SESSION

JULY 15; SEPTEMBER 27; AND NOVEMBER 15, 1985

Printed for the use of the Committee on Governmental Operations.

OMAHA WORLD-HERALD Wednesday, August 12, 1992

'Reagan-Bush Years Saw a Shifting of Law'

by Anthony Lewis
New York Times Columnist

From a constitutional perspective, the single most striking feature of the Reagan-Bush years in Washington has been contempt for law: contempt not in some technical sense but in a profound disregard for the constraints and balances that have distinguished the American system for 200 years.

The two presidents were confronted much of the time by laws they did not like and Congresses that would not change the law. They and their legal advisers dealt with the problem by a number of slippery devices that effectively shifted much of the lawmaking power from Congress, where the Framers of the Constitution put it, to the executive.

One device was to undo a law by administration. That is, put someone in charge of a program who would do his best to destroy it.

An early example was William Bradford Reynolds, the head of the Justice Department's Civil Rights Division. He

opposed the position of minority groups on issue after issue, even arguing that private colleges should be able to practice racial discrimination without losing their tax exemptions.

Then there is the Legal Services Corp., which provides a modest amount of legal advice to poor people caught up in civil disputes. When Congress would not kill it, President Reagan appointed board members who opposed the whole idea. To this day, more than a decade later, the corporation struggles to survive presidential sabotage.

Or consider William R. Archer 3rd who is now in charge of family planning programs at the Department of Health and Human Services. He is critical of the 1965 Supreme Court decision that legalized birth control, and he thinks the pill is a bad idea.

What we see in these and other cases is a new phenomenon in American government, introduced by the Reagan and Bush administrations. Officials are at war with programs they have taken an oath to carry out.

A broader device to shift the constitutional power of lawmaking is the White House council on Competitiveness, headed by Vice President Dan Quayle. Under the rubric of efficiency, it undoes environmental and other laws and regulations that it does not like. It works in secret, lawlessly, without the public accountability that is the democratic premise of our system.

The conduct of foreign policy, too, has been marked by disregard for law. Here again the purpose has been to shift power to the executive.

In the Iran-contra affair, Oliver North worked with fanatical zeal to violate laws that forbade the supply of arms to the contras. We know now that he had the support of CIA chief William Casey in that effort to subvert the Constitution - and probably of others at the highest level.

The privatization of foreign policy was another ingenious trick to avoid the law. When Congress barred the expenditure

of funds, the idea was, just have some rich foreign power put up the cash for that enterprise - and lie to Congress about it.

In the run-up to the Persian Gulf war, President Bush made the boldest attempt in our history to take over the war power of Congress. He asserted that he could launch a major war without asking Congress. When he did finally ask, he had committed so many forces that Congress had little choice but to say yes.

What is especially interesting about the record of the last dozen years is the role of the Department of Justice. Successive attorneys general - Edwin Meese, Dick Thornburgh, now William Barr - have often treated the law as a mere instrument for the advancement of presidential policy and politics.

Even the American Bar Association, that traditionally conservative voice of a conservative profession, has found itself increasingly at odds with these administrations. That is evident at the ABA's annual meeting here in San Francisco.

The Bar Association has fought hard, and so far successfully, against the sabotaging of the Legal Services Corp. It has resisted the efforts of Attorneys General Thornburgh and Barr to eliminate the long-established right of federal courts to consider the constitutionality of state criminal convictions on writs of habeas corpus.

Outside the attorney general's office in the Department of Justice there used to be an inscription saying the United States wins its point in the courts when justice is done. Is it still there?

SCANDALS

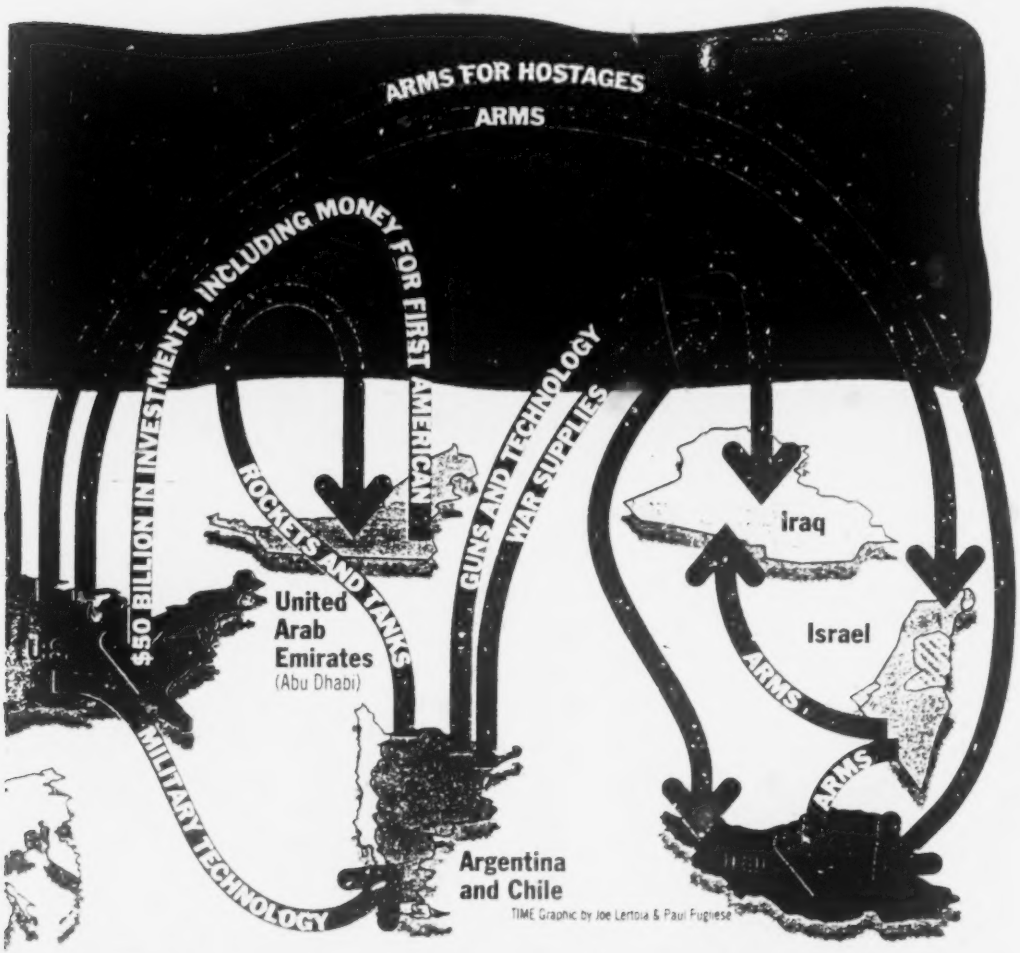
Behind the Clifford headlines lurks the real news about B.C.C.I.: growing evidence that the bank provided secret services for Saudis and U.S. intelligence agents

By Jonathan Beaty and S.C. Gwynne

The Riyadh

CLOAK AND DAGGER DEALS

The indictments of Clark Clifford and Robert Altman last week for taking bribes to conceal B.C.C.I.'s control of First American Bank nearly obscured the unprecedented charges brought against prominent Saudis with ties to the intelligence world. The widening probe offers new information about how B.C.C.I. worked as a go-between for secret arms, technology and money deals.



Connection

The scene that captured the news last week was of stately superlawyer Clark Clifford, that icon of Washington power brokering for five decades, clutching his fedora and lowering his well-worn face in a Manhattan courtroom. There he and his younger partner Robert Altman faced charges that they took millions in bribes to act as front men for the notorious Bank of Credit & Commerce International. But even more significant may be a legal move related to the grand jury indictments of last week: Saudi Sheik Kamal Adham, the longtime head of Saudi Arabian intelligence and one of the most powerful men in the Middle East, entered a guilty plea to charges that he conspired to help B.C.C.I. secretly purchase control of First American, the bank that Clifford and Altman headed. Adham, a key director of both B.C.C.I. and First American, agreed to pay a $105 million fine and to cooperate in the widening probe.

Adham is just the latest of several Saudis with intimate ties to the royal family who have been dragged into the B.C.C.I. investigations. Also indicted by Manhattan District Attorney Robert Morgenthau was Ghaith Pharaon, the most flamboyant of the Saudis, who bought the National Bank of Georgia from Bert Lance, President Carter's onetime budget chief, and later sold it to First American. Last month Morgenthau moved against Sheik Khalid bin Mahfouz, who headed the largest commercial bank in Saudi Arabia. Still another enormously rich Saudi remains under investigation: Abdul Raouf Khalil, a shareholder in both B.C.C.I. and First American. The barrage of charges against these prominent Saudis poses a sticky problem for the Bush Administration, one that threatens to uncover an embarrassing pattern of legal and illegal intelligence operations as well as arms and money transactions involving Arab states, Israel and the U.S.

Morgenthau has also been taking a tough line with another U.S. ally in the region, Sheik Zayed bin Sultan al-Nahayan, ruler of Abu Dhabi and President of the United Arab Emirates. "Abu Dhabi has been promising cooperation for a year, but we've gotten nothing out of them," the district attorney said last week. His frustration is understandable: Zayed, now the owner of the tattered remains of B.C.C.I. founder Agha Hazan Abedi's erstwhile $20 billion banking empire, has placed 18 of the bank's top officials - all of them potential

witnesses who could help explain the workings of the criminal operations - under house arrest in Abu Dhabi while he sits on most of the bank's records.

In testimony last week before a subcommittee chaired by Senator John Kerry, a convicted former B.C.C.I. employee fingered Zayed as one of the phony stockholders in B.C.C.I.'s purchase of First American. The witness, Akbar Bilgrami, testified that he had personally read the loan agreements by which B.C.C.I. lent the money to Zayed to buy First American shares. If true, this means that Zayed violated the same banking laws that Adham and Mahfouz are charged with breaking.

According to an American expert with close ties to Riyadh, Saudi King Fahd is "apoplectic" about the aggressive American probe. the Arabs, says this source, "are appalled and prefer to believe the B.C.C.I. investigation is a Zionist plot." Though the New York indictments differ little from ones handed down by the U.S. Justice Department, it has been New York's Morgenthau who has set the agenda. The Saudis claim that his father, former Treasurer Secretary Henry Morgenthau, was instrumental in persuading President Harry Truman to recognize the new state of Israel. (The theory is shaky: ironically, it was a young Clark Clifford who, as Truman's political counselor, did most to win recognition for Israel.)

But the royal fury in Saudi Arabia is fed by more than just Arab-Jewish enmity and the Saudis' abhorrence of publicity. B.C.C.I. flourished because is could provide cover for deals between nominal enemies, especially in the arms trade. The demand for these services was particularly keen in the Middle East, especially when Israel and Arab states were involved. When American arms destined for Iran and Iraq passed through Israel, for example, B.C.C.I. was frequently the broker and financier. Once such transfer involved Iraq's acquisition of Silkworm missiles from China in the mid-1980s. Fahd, worried that Iran was winning its war with Iran, sought missiles for Saddam Hussein's regime, but was rebuffed by the U.S. and France. B.C.C.I. stepped in and brokered a deal with China as a supplier of the rockets and Israel as a provider of the high-technology guidance systems.

When oil profit ebbed in the early '80s, Abedi and the bank turned increasingly to weapons dealing, drug-money laundering and

capital flight to keep operations afloat. The bank also became enmeshed in intelligence operations with several nations, including the U.S., which effectively shielded Abedi from unwelcome scrutiny as he perfected bribery and extortion as business tools. B.C.C.I. thereafter grew faster than ever.

There was, for example, the highly sensitive question of B.C.C.I.'s direct involvement in the secret arms-for-hostages deals in Iran during the 1980s, in which it acted as a broker and financier of weapons sales. Ollie North maintained three accounts at the B.C.C.I. Paris branch, and B.C.C.I. was used to transfer money to the contras.

B.C.C.I. was similarly entwined in another key U.S. intelligence operation of the 1980s: the supply of arms and money to the Afghan rebels. While such clandestine support was legally condoned, B.C.C.I. officials have told reports that CIA Director William Casey, in a series of 1984 meetings in Washington with Abedi, struck a deal that included off-the-books operations never reported to the U.S. Congress.

B.C.C.I.'s connections to American intelligence operations resulted in a paralysis of enforcement. In January 1985, for example, long before U.S. Customs agents stumbled across B.C.C.I. in Florida, the CIA hand-delivered a secret report, described within the CIA as "dynamite," to Donald Regan. According to CIA testimony before the Kerry committee, the report stated that B.C.C.I. secretly owned First American. Regan's intelligence aide sent back word that they already knew about B.C.C.I. and were not interested in learning more.

In the current probe of Saudi Abdul Raouf Khalil, investigators have complained that when Khalil was first sought by Federal Reserve examiners, the State Department claimed that he either didn't exist or couldn't be found. Knowing that Khalil was a high Saudi intelligence official and the current liaison to the CIA, the investigators advised the Riyadh embassy to "look for him down the hall in the CIA station chief's office." Khalil was quickly located and served with subpoena.

There is evidence that the Reagan Administration knew early on about B.C.C.I.'s criminal activities. Dr. Norman Bailey, a former member of the staff of the National Security Council, has told TIME that in 1982, the NSC began receiving a stream of intelligence reports

detailing the bank's arms trafficking, drug involvement, support of terrorists and role in the transfer of U.S. technological secrets to countries such as Pakistan and the Soviet Union.

Bush has insisted that he did not know Kamal Adham, who was running Saudi intelligence at the same time Bush was CIA director. The question was raised last year when the White House was embarrassed by the revelation that Adham had hired chief of staff John Sununu's ex-aide Edward Rogers for a $600,000 fee. A senior intelligence officer stationed in Saudi Arabia during those years told TIME last week that Bush's denial is not credible. "It's flat impossible," he says.

If he cooperates as promised, Adham will prove an interesting witness in the deepening B.C.C.I. probe. But that which is interesting to American prosecutors is setting teeth on edge in Saudi Arabia, and elsewhere.

6A - Thursday, August 27, 1992 - USA TODAY

Sen. Hatch defends his defense of BCCI

UPI

HATCH: Seeks probe of bank ties

By Maria Puente
USA TODAY

Utah Republic Sen. Orrin Hatch, a leading law-and-order conservative, was portrayed Wednesday as a defender of the crime-riddled Bank of Credit and Commerce International.

Hatch has denied impropriety and said he has asked for a Senate ethics committee probe of the questions about his BCCI ties.

BCCI, shut last year, is accused or running a world-wide criminal enterprise of fraud, money laundering, arms trafficking and support of terrorists.

The New York Times reported Wednesday on it investigation of Hatch's ties with BCCI, depicting him and a former Senate aide as key players in the bank's effort to avoid further government scrutiny after pleading guilty in 1989 to charges of laundering drug money. The bank agreed to pay a $15 million fine, and the Justice Department agreed not to pursue other allegations of wrongdoing.

The *Times* said Hatch met BCCI lawyers and Justice officials about the bank, and an aide, Michael Pillsbury, advised the bank on how to counter a Senate probe.

At the time - before the revelations about the vastness of the BCCI scandal - Sen. John Kerry, D-Mass,., and others attacked the plea agreement as too lenient.

In February 1990, Hatch made a speech on the Senate floor

defending BCCI and the plea agreement. Two weeks later, he has acknowledged, he called the bank's president to ask that BCCI consider a $10 million loan to Monzer Hourani, a Houston businessman and friend and campaign contributor to Hatch. The loan was never made.

Hatch has said he spoke only after BCCI lawyers assured him the case involved only low-level employees.

"While, in hindsight, it might be easy to now criticize me for that speech, one must remember when it was delivered and the limited information that was publicly available at the time about BCCI," Hatch said in a statement Wednesday, the same statement he issued last November after a similar report by NBC News.

BCCI lawyers said they were reluctant to meet Hatch for fear of angering Justice officials.